

Judge Nina Gershon

Criminal Cause for a Status Conference

January 24, 2012

USA v. Dunn et al 11-cr-00683-NG

Court reporter: Lisa Schmid

Case Manger: Vic Joe

USA	Anthony M. Capozzolo & Cristina Marie Posa United States Attorneys Office -EDNY 271 Cadman Plaza East, Brooklyn, NY 11201 Email: anthony.capozzolo@usdoj.gov Email: cristina.posa@usdoj.gov 718-254-6668 Fax: 718-254-6076 718-254-6454 Fax: 718-254-6669
vs.	
Wendell Walters Defendant pled guilty on March 23, 2012	Howard R. Leader 381 Park Avenue South, Suite 701, New York, NY 10016 646-533-7696 Fax: 347-642-5551 Email: lawleader@yahoo.com
Stevenson Dunn	Robert Anthony Evans , Jr. 274 W. 145th Street, Suite 300, New York, NY 10039 212-234-6804 Email: raevans@raevans.net
Lee Hymowitz	Maurice H. Sercarz Sercarz & Riopelle 152 West 57th Street, 24th Floor, New York, NY 10019 212-586-4900 Fax: 212-586-1234 Email: msercarz@sercarzandriopelle.com
Michael Freeman	Gerald J. DiChiara Law Offices of Gerald J. DiChiara 3 Park Avenue, 15th Floor, New York, NY 10016 212-679-1958 Fax: 212-689-3315 Email: jdichiarag@aol.com
Sergio Benitez Defendant pled guilty on October 10, 2012	Bruce Wenger Wenger & Arlia Esqs LLP 20 Vesey Street, Suite 210, New York, NY 10007 212-566-6262
Robert Morales Defendant pled guilty on 10/17/12	Michael Beys (CJA) 405 Lexington Avenue, 7th Floor, New York, NY 10174 212-387-8229
Angel Villalona Defendant pled guilty on October 10, 2012 Spanish Interpreter: Rosa Olivera	Michael K. Schneider Federal Defenders of New York, Inc. 16 Court Street, 3rd Floor, Brooklyn, NY 11241 718-330-1200 Fax: 718-855-0760 Email: michael_schneider@fd.org

NOTES: Case called. All parties present. Motion conference held. Defendant, Stevenson Dunn, to file an affidavit, no later than January 29, 2013, regarding his signature on the Miranda waiver. Such affidavit shall be accompanied by a letter from defense counsel setting forth its position on whether it intends to further pursue the motion. A hearing, if necessary will be scheduled upon receipt of these submissions. Brady issues resolved. 404(b), 702, 703, 705 and Jencks submissions scheduled. The court reserved decision on the remaining portions of the motions. For the reasons stated on the record, the parties agreed to exclude time under the Speedy Trial Act until April 22, 2013.

* The government shall file 404(b) and 609 notices no later than March 15, 2013. Defense counselors shall respond no later than April 15, 2013, and all replies are due April 22, 2013. 702, 703 and 705 submissions shall be filed by the government by March 15, 2013, and by the Defendants by April 15, 2013. The government agreed to file its Bruton notice tomorrow, January 25, 2013. Jencks submissions will be provided to the defense 3 weeks before the trial date, provided that the parties execute a Protective Order. The parties shall provide a copy of such order, once it is agreed upon, to the Court.